

Meeting Notes, Oregon programs in the Watershed Unit

Revised 8/5/16

Goal: Share information about what's happening in the 303(d) List, 319, CZARA, TMDLs, and Water Quality Trading programs in Oregon.

We can have open discussions, but here are general timeframes per topic.

303(d) List – Jill (15 minutes)

319 – Alan (15 minutes)

CZARA – Jayne (15 minutes)

TMDLs – Jenny (15 minutes)

Stormwater – Jayshika (15 minutes)

Water Quality Trading – Claire (15 minutes)

Some ideas worth considering for when you talk, as you see appropriate:

1. Any general background/context you think people need to know to understand what you're going to talk about
2. Major things going on in your program and important things coming up
3. Points you think other programs may be interested in
4. Potential ideas for cross-program coordination to explore at a later meeting
5. Other??

Questions:

*Should CWA 106 be added to the programs? Do we want to include other program in the office outside our unit?

*Want to understand all programs are working in Oregon for coordination

303(d) List

***Background** - Oregon submitted a list to EPA in 2014 that was limited. Marty, Gretchen, and Helen worked on data assessment and list additions. 350 new listings that EPA will add.

***Current status** – EPA release of list being held up while evaluating pteropod data for ocean acidification. In process of assessing different approaches to determine whether ocean acidification listings should be added.

***Database Problems in Oregon** – no data entered into state database since December 2012 though data are still being collected. ATTAINS database being updated by EPA HQ for electronic list submittals. EPA R10, EPAHQ, and DEQ working to resolve database issues and decide whether to use ATTAINS or use a database compatible with ATTAINS. Alan has a June 2016 article that talks about the state's new database and approach for all environmental data – targeted date for completion is 2022.

***Jill** – new database coordinator position.

***Delistings** – Oregon focuses on listings instead of delistings to prioritize. Delistings are linked to reporting 319 progress.

***Background** – CZARA disapproval resulted in 30% penalties. Funding split into PPG and passthrough dollars. 30% penalties applied to pass-through dollars for 2015. \$80K for on-the-ground projects in 2015 statewide. \$330K for on-the-ground projects in 2016 statewide.

***Current Status** - Expect to get application in mid-August for 2016 funding. 319 coordinator retired last January – currently unfilled. NPS plan is missing a lot of information, likely because of fewer state resources. Will be working with State this year to get skeleton of key information. Will be working next year with the state to make sure all elements are included in NPS plan in a streamlined report.

***Waiver Request** – Waiting for State to submit information on waiver request. Basis is the CZARA disapproval and associated penalties.

***Cross-over** – Annual plan lists TMDL development, though TMDLs are delayed. Have conversation about TMDL program and production delays. Database problems affect 303(d), TMDLs, and 319. Potentially have a discussion with state on cross-program issues to address issues holistically. New guidance ties TMDLs and 319 more closely with guidelines of what TMDL should include if 319 funds TMDL-related projects. Dan O interested in leveraging 319 dollars to address NPS pollution

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CZARA

***Background** – Voluntary NPS program that focuses on coastal area jointly administered by NOAA and EPA. NWEA sued the state on Oregon CZARA's program. The case was settled based on the State completing an implementation-ready TMDL. State opted not to do an implementation-ready TMDL for many reasons, and NOAA and EPA ultimately disapproved the State's program because of insufficient actions on forestry.

***Current Status** – focusing on agriculture and forestry to meet the requirements of CZARA. Two meetings held between NOAA/EPA and Oregon DEQ and DOA staff and managers that focused on agriculture and a meeting is scheduled for November 10 that primarily focuses on forestry. Mechanism is

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TMDLs

- Oregon TMDL litigation started in September 2012. Oral arguments on October 5.
- 303(d) Priority Waters: Midcoast, Coquille, Burnt-Powder, Deschutes, Klamath revised TMDL, Willamette Mercury TMDL
- Crossover with 303(d) – Database issues, TMDL development, methodology questions
- Cross-over with CZARA and 319 – NPS implementation and reasonable assurances in TMDLs, implementation-ready TMDLs.
- Cross-over with Stormwater – New Development Guidance and implementation of CZARA in TMDLs, technical assistance work for non-regulated stormwater communities
- Cross-over with WQ Trading – Baseline, NPS implementation (see CZARA and 319)

Stormwater

Water Quality Trading